

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

WILFREDO ORTIZ,	:	
Plaintiff	:	
	:	No. 1:23-cv-00264
v.	:	
	:	(Judge Rambo)
OFFICER CICCHITELLO,	:	
Defendants	:	

ORDER

AND NOW, on this 21st day of April 2023, for the reasons set forth in the Memorandum accompanying this Order, **IT IS ORDERED THAT:**

1. Plaintiff Wilfredo Ortiz's complaint (Doc. No. 1) is **DISMISSED** without prejudice pursuant to 28 U.S.C. § 1915A(b)(1) for failure to state a claim upon which relief may be granted;
2. Ortiz may file an amended complaint in conformity with the accompanying Memorandum within **21 days** of the date of this Order;
3. If no amended complaint is timely filed, this case will be closed; and
4. Ortiz's motion for appointment of counsel (Doc. No. 9) is **DISMISSED** as moot in light of paragraph 1 above.

s/ Sylvia H. Rambo
United States District Judge